



# County of Los Angeles CHIEF EXECUTIVE OFFICE

Kenneth Hahn Hall of Administration  
500 West Temple Street, Room 713, Los Angeles, California 90012  
(213) 974-1101  
<http://ceo.lacounty.gov>

WILLIAM T FUJIOKA  
Chief Executive Officer

Board of Supervisors  
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Second District

ZEV YAROSLAVSKY  
Third District

DON KNABE  
Fourth District

MICHAEL D. ANTONOVICH  
Fifth District

March 30, 2010

## ADOPTED

BOARD OF SUPERVISORS  
COUNTY OF LOS ANGELES

15 MARCH 30, 2010

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, CA 90012

*Sachi A. Hamai*  
SACHI A. HAMAI  
EXECUTIVE OFFICER

Dear Supervisors:

### CONVEYANCE OF ASSESSOR'S PARCEL NUMBER 2026-001-905 FROM THE COUNTY OF LOS ANGELES TO MARION LEDERER TO SETTLE LAWSUIT (THIRD DISTRICT) (4 VOTES)

#### SUBJECT

The actions will convey surplus County real property to Marion Lederer to resolve pending litigation and comply with the terms of the original transfer of said real property parcel from Marion and Francis Lederer to the County.

#### IT IS RECOMMENDED THAT YOUR BOARD:

1. Find that this action is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15312 as it involves a transfer of surplus government property.
2. Approve the conveyance of real property parcel identified as Assessor's Parcel Number 2026-001-905 from the County to Marion Lederer.
3. Instruct the Chair to execute the quitclaim deed.
4. Authorize the Chief Executive Office to complete and execute any necessary documents to complete the transaction and to pay the transfer taxes related to the transaction.

*"To Enrich Lives Through Effective And Caring Service"*

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Intra-County Correspondence Sent Electronically Only

### **PURPOSE OF RECOMMENDED ACTION/JUSTIFICATION**

Approval of the recommended actions will enable the County to resolve pending litigation between Marion Lederer and the County and comply with the terms and conditions of the original transfer agreement of real property at 23132 Sherman Way, Los Angeles, California.

In December 1963, your Board adopted a resolution accepting a one-acre parcel from Marion and Francis Lederer (Lederers) who desired to donate the entire Lederer Estate (several real property parcels) to the County for park purposes and for maintaining a place of historical interest. The one-acre parcel donation and conveyance was contingent upon two conditions: the parcel would have to be used for park purposes and maintained as a place of historical interest and the adjoining parcels would be conveyed to the County through approved extension by December 1968. The parcel is vacant land with a steep sloping grade, which is not conducive to any type of active or passive development.

In December 1964, your Board adopted a resolution accepting another donation of an adjacent one-half acre real property parcel from the Lederers contingent upon the same conditions as their initial donation. The Assessor subsequently combined both parcels into one real property parcel.

The Lederers never conveyed the remaining estate real property parcels to the County. As a result of the Lederer's failure to donate the remaining real property parcels to the County, the donated real property parcels should have been re-conveyed by the County to the Lederers in the 1960s. However, the re-conveyance of these real property parcels never materialized.

Further, due to the geographic terrain of the County-owned one and one-half acre real property parcel, neither the Department of Parks and Recreation nor any other known public entity desires to own, develop, operate, or maintain said real property parcel. The real property parcel has been placed on the County's surplus real property list.

The surviving spouse, Marion Lederer, has since filed a lawsuit against the County for quiet title through either the re-conveyance of the County's real property parcel back to Marion Lederer or the grant of an easement over the County's one and half acre real property parcel. The recommended conveyance would return the donated real property parcel back to Marion Lederer thereby resolve the pending lawsuit brought by Marion Lederer against the County.

### **FISCAL IMPACT/FINANCING**

Currently, there is no revenue generated from or expended on the County's real property parcel. Upon recordation of the attached quitclaim deed (Attachment ), Marion Lederer will assume all ownership responsibilities, including but not limited to the payment of taxes and assumption of the parcel's maintenance.

The County has agreed to record the quitclaim deed and any other documents that may be necessary to complete the conveyance. As part of the settlement, the County will pay any applicable transfer taxes which are estimated to be under \$1,000 from the Rent Budget.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

Marion Lederer filed a lawsuit against the County for quiet title, declaratory relief, constructive trust, cancellation of instruments, promissory estoppel, quiet title through easement by implication, breach of contract, maintenance of dangerous condition, nuisance, and negligent removal of lateral support. Marion Lederer sought both compensation and conveyance of the real property parcel or the grant of an easement over the real property parcel.

The recommendations before your Board is that the litigation be resolved by conveying the real property parcel to Marion Lederer. A settlement agreement between the County and the Marion Lederer has been agreed to form by County Counsel and approved by the Chief Executive Officer. The settlement of the litigation is contingent upon your Board's approval of the conveyance. By approving the conveyance, the County can resolve this lawsuit without additional litigation expenses. The only money expended by the County will be for transactional costs associated with the recordation of the quitclaim deed.

Your Board's approval of the conveyance is required by the terms pursuant to which the County received the real property parcel from the Lederers.

The quitclaim deed has been reviewed and approved as to form by County Counsel.

### **ENVIRONMENTAL DOCUMENTATION**

The recommended action is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15312 as this is a sale or transfer of surplus government property. The conveyance of the real property parcel to the Lederers does not authorize any development and any future discretionary land use approvals would be sought from the City of Los Angeles, as the lead agency.

The Honorable Board of Supervisors  
March 30, 2010  
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**IMPACT ON CURRENT SERVICES (OR PROJECTS)**

Approval of this real property conveyance will have no impact on current services.

**CONCLUSION**

Two originals of the Quitclaim Deed are enclosed. Please have the Chair execute both originals and send them and two copies of the adopted Board letter to the Chief Executive Office, Real Estate Division, for further processing.

Respectfully submitted,



WILLIAM T FUJIOKA  
Chief Executive Officer

WTF:SK:DJT  
DKM:HC:zu

Attachment

c: Executive Office, Board of Supervisors  
County Counsel

RECORDING REQUESTED BY:  
County of Los Angeles  
AND MAIL TO:

Marion Lederer  
P.O. Box 32  
Canoga Park CA 91305

Space above this line for Recorder's use

THIS DOCUMENT IS EXEMPT FROM RECORDING FEES  
PURSUANT TO SECTION 27383 OF THE GOVERNMENT CODE.

TAX PARCEL: 2026-001-905

## QUITCLAIM DEED

DOCUMENTARY TRANSFER TAX

COUNTY OF LOS ANGELES \$ 0

CITY OF Los Angeles \$ 0

TOTAL TAX \$ 0

— COMPUTED ON FULL VALUE OF PROPERTY CONVEYED,  
— OR COMPUTED ON FULL VALUE LESS LIENS AND  
ENCUMBRANCES REMAINING, AT TIME OF SALE.

Signature of Declarant or Agent determining tax.

COUNTY OF LOS ANGELES

Firm Name

This conveyance is exempt from documentary  
transfer taxes per R&T §11911 as being part  
of the resolution of a lawsuit (BC417554) and  
not pursuant to a sale.

The COUNTY OF LOS ANGELES, a body corporate and politic, ("Seller" or "County of Los Angeles") for valuable consideration, receipt of which is hereby acknowledged, does hereby surrender, quitclaim and release to:

Marion Lederer, as Trustee of the Marion Lederer Revocable Inter Vivos Trust,  
Established June 21, 2001

all of the County's right, title and interest in and to the described real property ("Property").

The Property is located in the City of Los Angeles, County of Los Angeles, State of California and is more particularly described in the attached Exhibit A which is incorporated herein by reference as though set forth in full.

SUBJECT TO AND BUYER TO ASSUME:

- All taxes, interest, penalties, and assessments of record, if any.
- Covenants, conditions, restrictions, reservations, easements, rights, and rights-of-way of record, if any.

Dated 3-30-10

COLA LOG NO. \_\_\_\_\_



COUNTY OF LOS ANGELES

By Gloria Molina  
Gloria Molina  
Chair, Board of Supervisors

ATTEST: SACHI A. HAMAI  
EXECUTIVE OFFICER  
CLERK OF THE BOARD OF SUPERVISORS

By Lachelle Smithman, Deputy

STATE OF CALIFORNIA) )  
COUNTY OF LOS ANGELES) ss.

On January 6, 1987, the Board of Supervisors for the County of Los Angeles and ex officio the governing body of all other special assessment and taxing districts, agencies and authorities for which said Board so acts adopted a resolution pursuant to Section 25103 of the Government Code which authorized the use of facsimile signatures of the Chairperson of the Board on all papers, documents, or instruments requiring said signature.

The undersigned hereby certifies that on this 30<sup>th</sup> day of March, 2010, the facsimile signature of GLORIA MOLINA, Chair, Los Angeles County was affixed hereto as the official execution of this document. The undersigned further certifies that on this date, a copy of the document was delivered to the Chairperson of the Board of Supervisors of the County of Los Angeles.

In witness whereof, I have also hereunto set my hand and affixed my official seal the day and year above written.

SACHI A. HAMAI, Executive Officer  
Board of Supervisors, County of Los Angeles

By

Lachelle Smitheman

DEPUTY

APPROVED AS TO FORM:

Andrea Sheridan Ordin  
County Counsel

By

[Signature]  
Deputy



EXHIBIT A  
LEGAL DESCRIPTION

That portion of Lot 1056, Tract No: 1000, in the City of Los Angeles, County of Los Angeles, State of California, as per map recorded in Book 19, Pages 1 to 34, inclusive, of maps, recorded in the office of the County recorder of said County, which is described as follows:

Parcel 1: Beginning at the intersection of the centerline of Royer Avenue and the south line of Sherman Way, 50 feet wide; thence North  $89^{\circ} 58' 33''$  West, 967.51 feet, along the south line of said Sherman Way to the beginning of a tangent curve, concave northeasterly and having a radius of 100 feet; thence westerly along said curve, through a central angle of  $11^{\circ} 01' 29''$  an arc distance of 19.24 feet to the true point of beginning; thence departing said curve South  $02^{\circ} 28' 15''$  West, 336.01 feet; thence west 119.61 feet; thence north 359.00 feet; thence south  $89^{\circ} 58' 33''$  east, 86.99 feet, more or less, to a point in the south line of said Sherman Way, said point being in the aforementioned curve having a radius of 100 feet, a radial to said point bears South  $41^{\circ} 30' 29''$  West; thence easterly along said curve through a central angle of  $37^{\circ} 27' 33''$  an arc length of 65.38 feet to the true point of beginning.

Parcel 2: Beginning at a point in the northerly line of said lot, distant thereon north  $89^{\circ} 58' 33''$  west, 943.00 feet from the northeasterly corner of said lot; thence continuing along said northerly line north  $89^{\circ} 58' 33''$  west, 24.51 feet to the beginning of a tangent curve, concave northeasterly and having a radius of 100.00 feet; thence westerly along said curve through a central angle of  $11^{\circ} 01' 29''$  an arc distance of 19.24 feet; thence leaving said curve, south  $02^{\circ} 28' 15''$  west 336.01 feet; thence west 119.61 feet; thence south 37.42 feet, thence east 155.65 feet; thence north  $05^{\circ} 13' 15''$  east, 126.06 feet, thence north  $02^{\circ} 28' 15''$  east, 245.95 feet to the true point of beginning.